

BIDS GILLETTE TALK

Mother of Condemned Man
Wants Him to Tell All.

DIES IN WEEK OF JANUARY 28

Attorney Springs Surprise, Alleging
Court Without Jurisdiction to Try
Case—Mrs. Gillette Takes Employ-
ment to Raise Money to Get New
Trial for Her Convicted Son.Herkimer, N. Y., Dec. 10.—The bravado
of unshaken nerve which Chester Gillette
has exhibited throughout his whole trial
was not changed to-day, when he stood
up to hear Judge Devendorf sentence him
to death by the chair some time in the
week commencing January 28."Chester Gillette, come forward and be
sworn," said the clerk of the court, after
the judge and counsel had taken their
seats at the opening of court this morn-
ing. The condemned man stepped for-
ward and stood listlessly by the clerk's
desk. He took the oath in a firm voice.Takes Sentence Coolly.
Then he gave his pedigree to the clerk.
In reply to the question whether there is
any reason why he should not receive the
sentence of the court, he said:"I am innocent of this crime as charged in the indictment, and therefore
think sentence should not be passed.""Have you any more to say?" asked the
judge."No, I guess not now," replied the pris-
oner.Thereupon the judge pronounced the
death sentence. Not a muscle of Gillette's
face twitched while the judge spoke.
When he had finished, the man con-
demned to die turned shortly on his heel
and went back to his chair. His mother,
who arrived in town from Denver last
night, was sitting there. Gillette bent
over so that he could whisper into her
ear, and for several minutes the two en-
gaged in conversation. Then Under
Sheriff Klock stepped up and fastened
the manacles on Gillette's wrist and led
him out of the courtroom to the jail.

Says Trial Was Invalid.

Mr. Thomas was the only one of Gil-
lette's counsel to appear in court to-day
when sentence was pronounced. Before
that was done the lawyer sprang a mild
surprise on the attorney for the State,
and the judge himself, by alleging in his
plea for the setting aside of the verdict
that the judge had no right to pronounce
sentence inasmuch as the term of court
presided over by Judge Devendorf had no
jurisdiction in the case."It was an extraordinary court, called
by the governor at the request of the
prosecutor," said Mr. Thomas, "and
without the sanction of the appellate di-
vision. Therefore," he argued, "the court
had no right to try the case."The court denied the attorney's motion
for a setting aside of the verdict, and
likewise denied a motion for an arrest
of judgment.It is expected that Gillette will be
removed to Auburn to-morrow. Although
the plans of Gillette's lawyers are not
known, it is certain that an appeal from
the judgment of the court will be taken
shortly, and it is not believed that the
condemned man will be executed in the
week of January 28.

Newspapers Employ Mrs. Gillette.

The arrival of Mrs. Gillette last night
added to the gossip stock of talk to-
day. The rosy-cheeked woman seemed to
be overwrought. She sat beside her
son, alternately crying and kissing him,
until the boy somewhat petulantly cried:
"That will do, mother; sit still and be
quiet."It developed this morning that the way
Mrs. Gillette managed to get to the side
of her son was by accepting commissions
from two newspapers to write special
articles for them. She explained to some
of the newspaper men this morning that
she had no money with which to pay her
fare for the long trip from the West and
that by writing for the papers she hoped
to make enough to help pay for a new
trial for her son.

Hopes to Persuade Son to Tell.

"I have come to get my boy to tell
everything there is to tell and I shall beg
him on my knees to tell me everything,
and I am sure he will," she said to-day."I thanked God when I got here and
found that the report that Chester had
confessed to having murdered the girl was
untrue."Mrs. Gillette excused herself, saying
that she had to go and file a bulletin
for the papers employing her. She sent
a brief description announcing that her
son had been convicted and signing it
"L. N. Gillette."

Government Bill Defeated by Lords.

London, Dec. 10.—The House of
Lords to-day rejected the government's
bill providing for the abolition of
plural voting, for a second reading.
The vote was 43 for the bill and 143
against.

SAYS BALLOTS ARE FORGED.

Untermyer Makes Charges Against
the New York and Mutual Life.New York, Dec. 10.—Samuel Untermyer,
general counsel for the International
Policy Holders' Committee, which has tick-
ets for trustees in the field in opposition
to those named by the administrations of
the New York and Mutual Life Insurance
companies, came out with a statement to-
day in which he claims that names of
policy holders are being forged to bal-
lots in favor of the administration tick-
ets.Mr. Untermyer asserts that these forged
ballots are being sent to the offices of the
companies to be counted when the elec-
tion closes a week from to-day. Mr. Un-
termyer also criticizes State Superinten-
dent of Insurance Otto Kelsey for not fur-
nishing the Policy Holders' Committee the
same facilities that have been afforded
the companies.The committee is now trying to find
some way of detecting the forged and
fraudulent ballots that are being voted,
and if it is successful it is expected to
prosecute the guilty parties.

Death of Dr. Fernand Henrotin.

Chicago, Dec. 10.—Dr. Fernand Henrotin,
for twenty-five years one of Chicago's
most eminent surgeons and president of
the Polyclinic Hospital, died of heart dis-
ease yesterday. Dr. Henrotin's sickness
began six weeks ago, when after recover-
ing from an attack of grip he became
aware that his heart was affected. Dr.
Henrotin was considered an authority on
the pelvic cavity.

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Famous Musician Is in Washington, Like Mark Twain, to Get the
Copyright Laws Fixed Up.

WILLIAM H. YERKES DEAD

Manager of American Ice Company
a Victim of Heart Disease.He Was a Veteran of the Civil War
and Lost a Limb in the Bat-
tle of Antietam.William H. Yerkes, local manager of
the American Ice Company, and a mem-
ber of the Board of Trade, died yester-
day at the George Washington University
Hospital. The immediate cause of death
was heart disease, following an illness of
about two weeks.Mr. Yerkes was sixty-three years old,
and was born at Davisville, Bucks Coun-
ty, Pa. At the outbreak of the civil war
he enlisted as a member of the Twenty-
seventh Pennsylvania Infantry, and
served in all the battles in which the
Army of the Potomac participated. At
the battle of Antietam he lost his right
leg, and after leaving the hospital was
transferred to the commissary service,
where he remained until the close of the
war. Shortly afterward he engaged in
the ice business. For thirty-two years
he was manager of the Independent Ice
Company. Later he became connected
with the American Ice Company.Mr. Yerkes was a member of Lincoln
Post, Grand Army of the Republic. He is
survived by a wife, formerly Miss Han-
nah A. Matthews, of Doylestown, Pa.,
and eight children. Mrs. Reed Macgill,
Mrs. S. M. Boyer, Mrs. Bertram Walker,
Miss Emma and Marion Yerkes, William
H. Yerkes, Jr., and A. W. and J. D.
Yerkes. The funeral will be held from
his late residence, 622 G Street.

Mrs. Wadsworth Buried.

Funeral services were held yesterday
afternoon at the residence of her brother-
in-law, Brig. Gen. John M. Wilson, 1723
Massachusetts avenue, over the body of
Mrs. Florence A. Wadsworth, who died
Saturday evening. Rev. C. Ernest Smith,
rector of St. Thomas Protestant Epis-
copal Church, conducted the services. The
pallbearers were Richard Rathbun, Paul
Brockett, Lieut. Commander Downs L.
Wilson, U. S. N., and Brig. Gen. Wilson.
The interment, which was private, was in
Glenwood Cemetery.

Funeral of W. F. Hellen To-day.

The funeral of William F. Hellen will
be held at 2 o'clock this afternoon from
his late residence, 1325 Twenty-first street,
Rev. Dr. Alfred Harding, of St. Paul's
Episcopal Church, officiating. The in-
terment will be made in Rock Creek
Cemetery.Mr. Hellen died suddenly Sunday after-
noon at a third attack of apoplexy. Until
eight years ago Mr. Hellen engaged in the
real estate business, at which time he
was appointed a clerk in the Quarter-
master General's office.He is survived by his wife, who was
Miss E. Lella Cowles, of Macon, Ga., and
three children, Mrs. Elizabeth Martin,
Mrs. Owen T. Reeves, and Clarence C.
Hellen.

Last Rites for Maj. Lowe To-morrow.

Funeral services will be held at 2 p. m.
to-morrow at St. Paul's Episcopal Church
over the body of Maj. William R. Lowe,
of the office of the Chief of Engineers
of the War Department. Maj. Lowe died
at midnight Sunday night in his apart-
ments at the Portner, the immediate
cause of death being diabetes.Maj. Lowe was born in Batavia, Ohio,
sixty-three years ago. He was the son
of Col. John W. Lowe, of the Twelfth
Ohio, the first field officer killed during
the civil war. While a student at the
Dayton High School, Maj. Lowe received
a commission as second lieutenant in the
Nineteenth United States Infantry, and
served with the Army of the Cumberland.
Resigning from the army in 1888, he be-
came engaged with Col. Merrill, of the
engineers, in the work of improving the
Ohio River, and later was appointed to
a position in the War Department. He
is survived by his wife, who was Miss
Adelaide Kinney, of Cincinnati, Ohio; one
son, E. Kinney Lowe, of Pittsburgh, and
a brother, the Rev. Thomas O. Lowe, of
Staten Island.STORERS SAY THEY
AIDED ROOSEVELT

CONTINUED FROM FIRST PAGE.

service. As for his department itself, it
is at the present time the most important
in the entire government."It would be a public calamity to have
him leave the Cabinet now, and I use the
words 'public calamity' advisedly. He is
a sick man, and his condition gives me
great uneasiness, not because there is the
least fear of his death, but lest he may
have to give up his work here. If he went
out I should have to consider nothing
whatever but the question of getting the
best man the entire country afforded to
do the work necessary to be done.""It may be that after carefully looking
over the matter I should conclude that
Bellamy was the best man for the pur-
pose. It may be that I should have to
conclude that some one else, of whom I
have not thought at present, would be the
best man, and if so, I should be bound to
take him, and not to consult any
personal preference of mine in a
matter so vital to the country.""I do not believe that Secretary Long
intends to leave the navy. For instance,
I am sure, without further
thought, that Bellamy would be admir-
able; but in filling any vacancy in the
Cabinet I would have to take note of all
kinds of considerations. I should con-
sider Bellamy's religion in his favor for a Cabinet
place."Wanted Catholic in Cabinet.
"Other things being equal, I should like
to have a Catholic in the Cabinet. I am
sure that in the Navy Department he
would do exceedingly well as Secretary.
I do not know whether, geographically,
he will be the right man. For instance,
I should like much to get a Pacific Slope
man into the Cabinet, and particularly
in the navy, and I do not wish to leave
New England unprotected.""At present I see no Pacific Slope man
who would be competent to fill the position.
Moreover, if possible, I should like to
get one or more members of the Cab-
inet who are in close touch with the peo-
ple, carrying weight when they explain
the policies, purposes, and acts of my ad-
ministration. This is the one point in
which the present Cabinet is not as strong
as it should be.""I do not believe that a finer, abler,
more high-minded body of public servants
was ever gotten together around a Presi-
dent; but there is no one of them, with
the possible exception of Roosevelt—who is so
busy that he can hardly ever speak—who
can appear before the country with the
prestige of a great political leader to ex-
plain and champion my administration.""I could at any time fill this want, I
should most ardently desire to do so."
"In other words, for a Cabinet place
the man should, if possible, be not only
eminently fit for the administration of
his department, but also, if possible, a
party leader of weight; and furthermore,
it is rarely that one can fill a Cabinet
position with reference only to itself—all
surrounding conditions must be taken
into account."

An Appreciation of Porter.

"Now, as to foreign affairs, my in-
quiries specially developed the fact that a
Catholic would not be a man whom it
would be wise to send to Germany. For
wholly different reasons it would be un-
wise to send him to Italy. I had not
thought of or known either of these facts
when I advised the going to Rome and
Italy. As soon as I made inquiry as to
the effect both here and abroad of ap-
pointments to Germany and Italy, I
found what the facts were. In no other
country would the question of Catholicism
cause any serious trouble; but I have not
the slightest idea whatever whether any
man intends at present to leave his posi-
tion."Of Porter, in France, I hear nothing
but the strongest praise. He seems to
have done peculiarly well. It would be
an injustice of a flagrant kind to turn
him out at the present time. It is of
course always possible that I may make
a shift, and if in doing so France should
become vacant, I should offer it to
Bellamy at once, unless it happened that
I was able to offer him a Cabinet posi-
tion; but as things are, just at this pre-
sent time, I do not see the likelihood of
such a condition arising. I have
written with the minutest details, for I
want you to understand exactly how things
stand."

"Faithfully yours,"

"THEODORE ROOSEVELT."

Insists He Was Instructed.

"The President says: The assertion
that I authorized him to make such a
statement as he says he was authorized
to make to the Pope, is untrue. I gave
him no such authorization.""He omits to note that he himself told
Archbishop Ireland that he had done so,
and the letter of the latter to me, which
I had quoted, I have all ready to submit,
and other letters of what the President
told Archbishop Ireland relative to his
message through me to the Pope. He
says, and it is supported by Mr. Loeb,
that he never received my letter report-
ing in detail my visit to the Vatican.""That letter was written and mailed
at Moran, within the Austrian frontier,
at the first stop long enough to write
after leaving Rome. The date is Decem-
ber 4 or 5, 1906, and the letter is the one
referred to by me in my own letter to the
President, of January 10, 1907, where I
say: 'As I wrote you exactly what I did
and said, you may judge whether I over-
stepped.' It is a pity the letter in question
cannot be found.""The President charges me with 'disin-
genuousness' in the matter of my resig-
nation in January, 1906, the one which
was refused by him, and says that my
resignation was based on another reason
entirely, than my going to the Vatican to
convey his message and his treatment of
the matter afterward. He had, in the
strongest terms, already forbidden me to
refer to that matter, and already for-
bidden me to quote him again in refer-
ence to it. It was, therefore, quite proper
and natural not to speak of it, but sim-
ply to leave it to him to accept my resig-
nation on any ground he chose, or on no
ground at all, if he saw fit.""The Hurst incident, in which in prin-
ciple I was right and was not afraid to
say so, afforded me a perfect opportunity
to tender my resignation without again
troubling the President's susceptibilities
regarding his messages to Rome. If the
word Vatican was not mentioned in my
letter of resignation, the facts were in
existence within the knowledge of the
President all the same.""It was five months only before the re-
nunciating convention, and I was dis-
tinctly avoiding any possible embarrass-
ment to Mr. Roosevelt in any way. This
now becomes 'particular perfidy' on my
part in the view and language of the
President of the United States.""As I have already said, my original
letter is really an answer to everything
else that is contained in the President's
communication to the press. I ask delib-
erate judgment on it, in reply to what he
has seen fit to charge upon me and mine."

BELLAMY STORER.

DENIES HE SAW THE POPE.

Eugene A. Philbin, Mentioned by
Mrs. Storer, Issues Statement.New York, Dec. 10.—Eugene A. Phil-
bin denied to-day that he ever went to
Rome with a request from the President
to the Pope that Archbishop Farley be
raised to cardinal. Mr. Philbin declined
to discuss the subject further, saying that
he had taken no part in the matter.In Mrs. Bellamy Storer's letter from
Vienna to the President, under date of
November 20, 1906, she said, according to
the statement put out by her husband:
"It is said that a Mr. Philbin went to
Rome with a request from you that Arch-
bishop Farley should be raised to the
cardinate. This has wiped out Arch-
bishop Ireland without promoting the
archbishop of New York."

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RECALLS PELL VISITS

Robert's Sister Claims He
Wooded for Two Years.

A FREQUENT CALLER AT HOME

Then Somebody Said He Was Mar-
ried, the Visits Dropped Off, She
Asserts, and the Suit Followed.Denies Intimation That Sister Was
Not First-class Singer.New York, Dec. 10.—Miss Alma Robert,
who has sued Theodore Roosevelt Pell
for \$25,000 for breach of promise was still
said to be not at her home at 28 West
Forty-sixth street, to-day, but her sister,
Mrs. S. May, made a statement on her
behalf.Mrs. May, in relating her sister's side
of the case, said:"To begin with, I must say that neither
I nor my sister are boarding-house keep-
ers. We have this house on a twenty
years' lease on speculation.""My sister is a singer, and far from ever
having sung in the back row of the Met-
ropolitan chorus, has been connected with
Mr. Corried's opera school, and once gave
a private musicale at the Waldorf. Also,
she is not thirty years old. She is twenty-
five, I admit, but she looks eighteen, and
is a very pretty blond."

Got to Be Regular Thing.

"We are from Syracuse. My sister is the
first cousin and protégée of Mme.
Alban, the famous prima donna.""Well, as Osgood Pell says, my sister's
acquaintance with Theodore Roosevelt
Pell began in a business way. About
two years ago my sister one day was
looking for a suitable house to rent. It
happened to have the name of Mr. Pell's
firm on it. When she went to Osgood,
Theodore Pell—we used afterward to call
him Teddy—went to show us the place.
We finally took the house, and from that
on it was a case of Teddy being here
every day."

Love at First Sight.

"I never saw such a case of love at
first sight. Teddy told her that he was a
single man. He brought her flowers,
candy, and everything else. He was here
at least once every day during all those
two years. Why, it got to be such a
regular thing with him that when he left
the office he told us he would leave his
telephone number and that of the army
on Forty-fifth street or wherever it was.
He played tennis, with instructions that
if any one called him up he would be at
our call."

Somebody Said He Is Married.

"Teddy used to sit there and tell us
business secrets of the Cramp firm, his
father-in-law's, that Mr. Cramp would
not suppose to hear.""About July, 1904, Alma learned from
a friend that Teddy is married. Imagine
her surprise. When Teddy next came
she confronted him with her knowledge.
At first he denied it, but finally admitted
it. He told my sister, if she would
stand by him as he would stand by her,
he would get a divorce and marry her
as he had promised. Then his visits be-
gan to drop off, and finally stopped, and
that was the last we saw of him. Then
we brought the suit."

Rockefeller Gives \$100,000.

Philadelphia, Dec. 10.—John D.
Rockefeller to-day sent word to the
board of foreign missions of the United
Presbyterian Church, whose head-
quarters are in Philadelphia, that he
would give \$100,000 for educational
work in Egypt and the Sudan.

Herald Want Ads

will be received at the Astoria Pharmacy,
Third and G sts. n.w., and promptly for-
warded to the main office.

DIPLOMAT'S AUTO SMASHED.

Baroness von Sternburg Has Narrow
Escape from Injury.Two automobiles belonging to members
of the diplomatic corps were damaged
yesterday by coming in contact with
street cars.The machine of Baron von Sternburg,
the German Ambassador, collided with
a car at the corner of Fourteenth and
H streets in the morning. Baroness
Sternburg was driving at the time, but
escaped injury. The tonneau was only
slightly damaged.While on its way to the Russian Em-
bassy last evening to carry Ambassa-
dor Rosen to a reception at Secretary
Taft's residence, the diplomat's automo-
bile ran into a car at Seventeenth and
I streets. The only occupant, John Car-
lson, the Ambassador's chauffeur, was not
injured.James Burley, of 446 K street north-
west, was knocked out of his carriage and
sustained a fractured skull as a result
of a collision with an automobile oper-
ated by Vivian B. Bell, on Pennsylvania ave-
nue near Eleventh street northwest, last
night. Burley was sent to the Emer-
gency Hospital, but later improved suf-
ficiently to be removed to his home.

FORMER KING DIES IN EXILE.

Unhappy Behanzin, of Dahomey,
Passes Away in Algeria.Algiers, Dec. 10.—Behanzin, formerly
King of Dahomey, died at Bledah,
Algeria, to-day. His physicians had
considerable trouble in treating his
case, as his wives insisted on tasting
the medicine prescribed for him. If
they liked the taste of it, they gave it
to him. If they did not like it, they
did not give it.Yesterday they nearly suffocated him
by trying to stop a coughing fit by
means of strangulation.When the French conquered Dahomey
and put an end to King Behanzin's
cruelties he was exiled to Martinique,
where he was well provided for and
lived surrounded by his devoted wives.
But he tired of exile, and after petti-
tioning in vain to be allowed to return
to Dahomey, he was allowed last April
to change his residence to Algeria, where
he has since lived in the com-
panionship of other distinguished exiles
from Madagascar and Annam.

SEEKS THIEF; FINDS DEATH.

Aged Widow's Clothing Takes Fire
from Gas Explosion.Pittsburg, Pa., Dec. 10.—Mrs. Nancy
Boyd, a widow, ninety-three years old,
of Allegheny, died at a hospital last
night from burns received early Sun-
day morning at her home while she was
searching for a burglar whom she
heard ransacking the downstairs por-
tion of the house. Mrs. Boyd, lighting
a candle, went downstairs. As she
opened the door leading from the hall
to the kitchen there was a terrific ex-
plosion of natural gas, which had not
been properly turned off. In a moment
her clothes were on fire, and before her
son could extinguish the blaze she re-
ceived burns which caused her death.

SUGAR REBATERS FINED.

Dealers Involved in New York Cen-
tral Case Must Pay \$6,000.New York, Dec. 10.—In the criminal
branch of the United States Circuit Court
to-day C. Goodson, Edgar and Edwin A.
Earle, of the firm of W. E. Edgar &
Sons, sugar dealers, in Detroit, Mich.,
pleaded guilty to the charge of accepting
rebates on sugar, shipped to them by the
American Sugar Refining Company over
the New York Central Road. A fine of
\$6,000 was imposed by Judge Hough upon
each of the defendants, which was at once
paid.

China Wants Only Best Soldiers.

Peking, Dec. 10.—The medical and other
tests for recruits are so strict this year
that out of 6,000 men wishing to join the
Northern army only 400 have been ac-
cepted.

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